

## **REMARKS**

Main claim 9 now includes further details of the network management system and network state store as well as the reconfigurability of the connections. In particular, the claim now includes the feature that “the network management system includes a network data store which maintains a continuously updated record of current network usage”. It is further stated that the network state store is examined when a connection is allocated in the network. Claim 9 also states that “the network management system stores which current network connections are reconfigurable and which are not”. Further, the subset of possible reconfigurations is stated to be defined by those reconfigurations that can be carried out with no interruption or impairment of service or unimportant interruption or impairment of service. This resulting combination of features in claim 9 is not shown in the prior art.

U.S. Patent Publication No. 2003/0117678 discloses the use of optical layer multicasting on an IP based network using sub-carrier headers with active header detection. To the contrary, the present invention relates to a connection based network in which new connections are adopted following reconfiguration of certain other connections. The Examiner refers to paragraph 110 as disclosing the features of a network management system that selects one of a number of possible ways to implement a connection when it allocates a new connection to the network. The network management system has the option to accommodate the request to reconfigure existing connections in a network by selecting, in respect of at least one existing connection reconfigured, a different one of the number of possible ways to implement the connection. The switch controller discussed in this paragraph is arranged to accept the circuit switch signalling from the network controller management system and then determine which control commands are sent to a label

switch controller. The label switch controller then chooses between circuit switch and label switch control schemes. Thus, this reference relates to wavelength division multiplexed label switching rather than the reconfiguration of connections using a network management system so that a further connection can be accommodated.

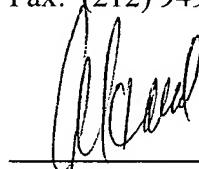
Applicant respectfully submits that amended claim 9 now makes clear the function of the network management system and the reconfiguration of connections. Thus, claim 9 is now new and inventive over the prior art. Further, the dependent claims are also allowable as they depend from an allowable base claim.

Enclosed is Form PTO-1449 listing, and including a copy of, two prior art documents that were cited on the corresponding Chinese case. Consideration and entry of these references are respectfully requested. **The Rule 17(p) fee of \$180.00 is enclosed.**

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.  
Attorneys for Applicant(s)  
489 Fifth Avenue  
New York, New York 10017-6105  
Tel: (212) 697-3750  
Fax: (212) 949-1690



---

Alan Israel  
Reg. No. 27,564